

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America)

v.)

STEVEN L. RUSSELL)

Case No: 2:02-cr-93

USM No:

Steven S. Nolder

Defendant's Attorney

Date of Previous Judgment: 1/17/2003

(Use Date of Last Amended Judgment if Applicable)

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 156 on Count 1 months **is reduced to** 124 on Count 1.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 31

Amended Offense Level: 29

Criminal History Category: IV

Criminal History Category: IV

Previous Guideline Range: 151 to 188 months

Amended Guideline Range: 121 to 151 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

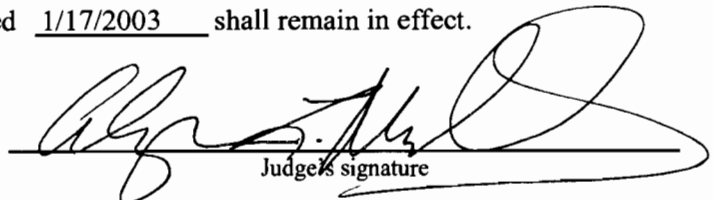
III. ADDITIONAL COMMENTS

Defendant's 60 month consecutive sentence on Count 2 remains in effect, yielding an aggregate federal sentence of 184 months

Except as provided above, all provisions of the judgment dated 1/17/2003 shall remain in effect.

IT IS SO ORDERED.

Order Date: 2/9/09


Judge's signature

Effective Date: _____
(if different from order date)

Algenon L. Marbley, U.S. District Judge
Printed name and title